

Message Text

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TAGS: ETRD, GATT, EI

SUBJECT: IRISH RESTRICTIONS ON AUTOMOBILE IMPORTS

REF: A. DUBLIN 906

B. GENEVA 3740

1. EMBASSY AUTHORIZED DELIVER NOTE APPROPRIATE GOI
OFFICIALS TO NOTIFY THEM THAT (1) IRISH RESTRICTIONS
ON AUTOMOBILE IMPORTS CONTRAVENE GATT ARTICLE XI; (2)
THE U.S. HAS NO ACQUIESCED TO THIS GATT VIOLATION;
AND (3) THE U.S. REQUESTS THAT THE GOI TAKE IMMEDIATE
ACTION TO REMOVE RESTRICTIONS ON AUTOMOBILES OR JUSTIFY
THE MEASURES UNDER RELEVANT PROVISIONS OF GATT.

2. GOI NOTIFIED GATT OF RESTRICTION ON AUTOMOBILES
IN SECOND ANNUAL REPORT ON U.K./ IRELAND FREE TRADE
AREA AGREEMENT (L/3111) AND EC SUBMITTED NOTIFICATION
OF IRISH RESTRICTION AT APRIL 1970 MEETING OF JOINT
WORKING GROUP ON IMPORT RESTRICTIONS. EMBASSY SHOULD
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NOTE THAT LACK OF U.S. COMPLAINT AT TIME OF THESE

NOTIFICATIONS DOES NOT CONSTITUTE WAIVER OF IRELAND'S
GATT OBLIGATIONS AS IMPLIED BY GOI.

3. EMBASSY SHOULD ALSO DRAW HEAVILY UPON INFORMATION
PROVIDED IN REF B REGARDING U.S. STATEMENTS MADE IN
1968 AND 1970. DOCUMENTATION SUBMITTED TO JWG IN 1970
WAS EXTENSIVE AND U.S. DEL NECESSARILY LIMITED HIS
STATEMENTS TO IMPORT RESTRICTIONS KNOWN AT THAT TIME
TO BE OF PARTICULAR TRADE INTEREST TO THE U.S. THE
U.S. DEL COULD NOT POSSIBLY AT THAT TIME ADDRESS ALL
RESTRICTIONS CONTRARY TO GATT. WHILE THE IMPACT ON
U.S. EXPORTS OF THE IRISH EXCLUSION OF NON-ASSEMBLERS
FROM IMPORTING AUTOMOBILES HAS ONLY RECENTLY COME TO
OUR ATTENTION, THE U.S. HAS CONSISTENTLY URGED GATT
MEMBERS TO REMOVE ALL IMPORT RESTRICTIONS INCONSISTENT
WITH THE GATT AND NOT COVERED BY WAIVERS.

4. GATT ARTICLE XI PROVIDES THAT NO PROHIBITIONS OR
RESTRICTIONS OTHER THAN DUTIES, TAXES OR OTHER CHARGES,
WHETHER MADE EFFECTIVE THROUGH QUOTAS, LICENSES OR
OTHER MEASURES, SHALL BE INSTITUTED OR MAINTAINED ON
IMPORTS FROM ANY CONTRACTING PARTY. THE GOI'S REQUIRE-
MENT PURSUANT TO THE MOTOR VEHICLES (REGISTRATION OF
IMPORTERS) ACT OF 1968 AS AMENDED, THAT COMPLETELY-BUILT
AUTOS BE IMPORTED SOLELY BY ASSEMBLERS OF VEHICLES IN
IRELAND OR BY PERSONS WHO WERE IMPORTERS BEFORE 1968
EFFECTIVELY EXCLUDES CERTAIN U.S. MOTOR VEHICLES FROM
THE IRISH MARKET, IS A VIOLATION OF GATT ARTICLE XI
AND SHOULD BE REMOVED.
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